

Document #5224

9/14/89

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY

RE: FINAL DESIGNATION OF GATE FIVE ASSOCIATES AS REDEVELOPER, APPROVAL OF FINAL WORKING DRAWINGS AND SPECIFICATIONS AND PROPOSED DISPOSITION OF PARCEL P-2A IN THE CHARLESTOWN URBAN RENEWAL AREA PROJECT NO. MASS. R-55

WHEREAS, the Boston Redevelopment Authority, (hereinafter referred to as the "Authority"), has entered into a contract for loans and capital grants with the Federal Government under Title 1 of the Housing Act of 1949, as amended, which contract provides for financial assistance in the hereinafter identified Project; and

WHEREAS, the Urban Renewal Plan for the Charlestown Urban Renewal Area, Project No. Mass. R-55, (hereinafter referred to as the "Project Area"), has been duly reviewed and approved in full compliance with local, State and Federal law; and

WHEREAS, the Authority is cognizant of the conditions that are imposed in the undertaking and carrying out of urban renewal projects with Federal financial assistance under said Title I, including those prohibiting discrimination because of race, color, sex, religion or national origin; and

WHEREAS, GATE FIVE ASSOCIATES has expressed an interest in and has submitted a satisfactory proposal for the development of Disposition Parcel P-2A in the Charlestown Urban Renewal Area; and

WHEREAS, the Authority is cognizant of Chapter 30, Sections 61 through 62H of the Massachusetts General Laws, as amended, with respect to minimizing and preventing damage to the environment;

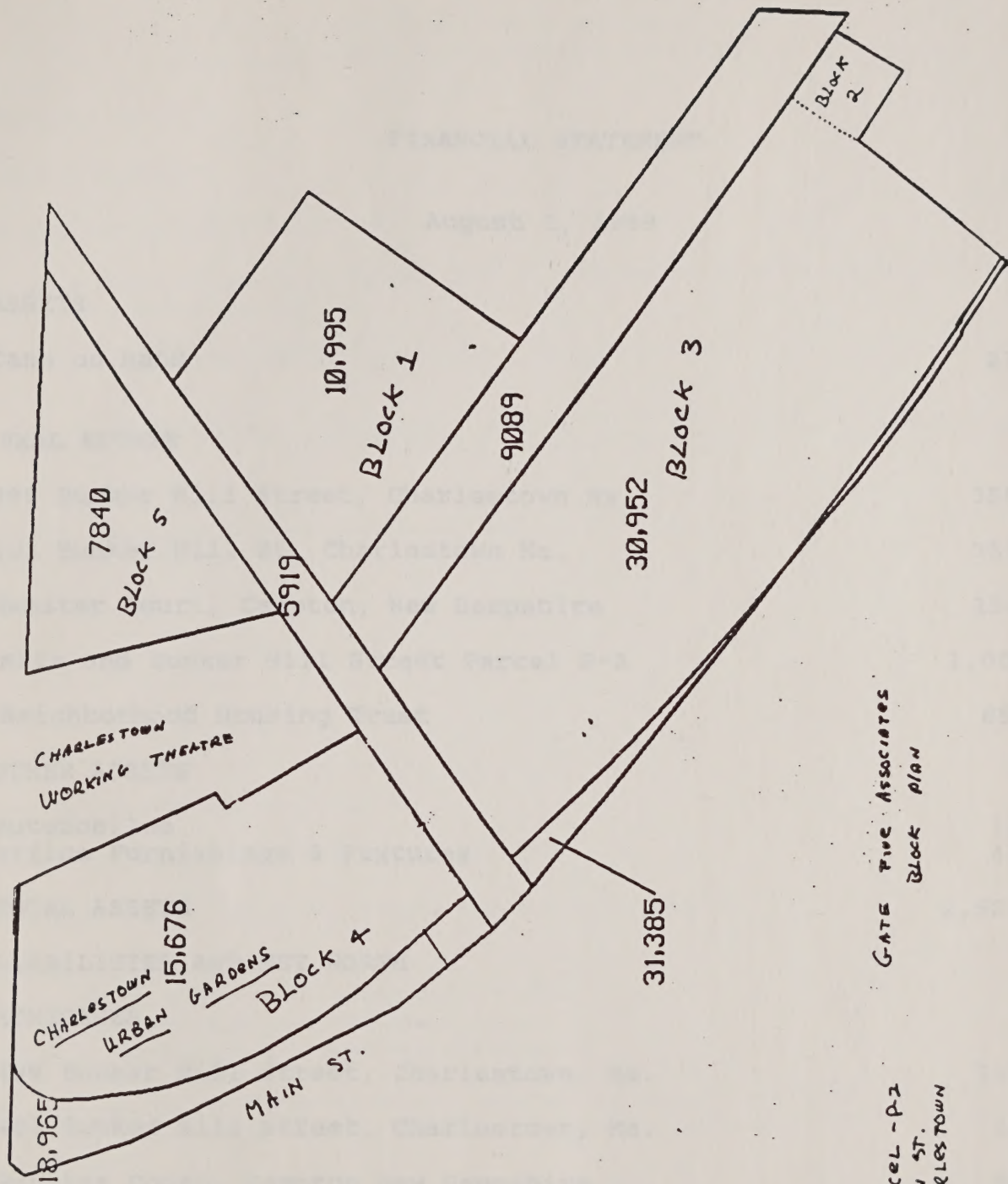
NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That GATE FIVE ASSOCIATES be and hereby is Finally Designated as Redeveloper of Parcel P-2A in the Charlestown Urban Renewal Area.
2. That it is hereby determined that GATE FIVE ASSOCIATES possesses the qualifications and financial resources necessary to acquire and develop the land in accordance with the Urban Renewal Plan for the Project Area.
3. That disposal of said Parcel by negotiation is the appropriate method of making the land available for redevelopment.

4. That the Final Working Drawings and Specifications submitted by GATE FIVE ASSOCIATES for the development of Parcel P-2A conform in all respects to the Urban Renewal Plan for the Project Area, and that said Final Working Drawings and Specifications be and hereby are approved.
5. That it is hereby found and determined that the proposed development will not result in significant damage to or impairment of the environment and further, that all practicable feasible means and measures have been taken and are being utilized to avoid or minimize damage to the environment.
6. That the Director is hereby authorized for and on behalf of the Boston Redevelopment Authority to execute and deliver a Land Disposition Agreement and Deed conveying Parcel P-2A, and he is authorized to execute a License for Early Entry to GATE FIVE ASSOCIATES, said documents to be in the Authority's usual form, said execution and delivery to be conditioned upon construction financing satisfactory to the Director.
7. That the Secretary is hereby authorized and directed to publish notice of the proposed disposition transaction in accordance with Section 105(E) of the Housing Act of 1949, as amended, includ information with respect to the "Redeveloper's Statement for Public Disclosure (Federal Form H-6004).



Location Map



GATE FIVE ASSOCIATES
BLOCK PLAN

PARCEL - P2
MAIN ST.
CHARLESTOWN

FINANCIAL STATEMENT

August 1, 1989

ASSETS

Cash on hand	21,516.39
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REAL ESTATE

399 Bunker Hill Street, Charlestown Ma.	350,000.00
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401 Bunker Hill St, Charlestown Ma.	350,000.00
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Webster Court, Campton, New Hampshire	150,000.00
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Main and Bunker Hill Street Parcel P-2	1,000,000.00
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Neighborhood Housing Trust	650,000.00
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OTHER ASSETS

Automobiles	11,600.00
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Office Furnishings & Fixtures	41,615.18
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TOTAL ASSETS	2,521,516.39
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LIABILITIES AND NET WORTH

MORTGAGES

399 Bunker Hill Street, Charlestown, Ma.	147,000.00
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401 Bunker Hill Street, Charlestown, Ma.	25,000.00
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Webster Court, Campton New Hampshire.	90,000.00
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Total	262,000.00
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NET WORTH	2,259,516.89
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REDEVELOPER'S STATEMENT FOR PUBLIC DISCLOSURE

(Redevelopment or rehabilitation for any use by an individual or two persons as joint owners when the reuse value is under \$30,000)

A. REDEVELOPER AND LAND

1. a. Name of Redeveloper:

b. Address and ZIP Code of Redeveloper:

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from

Boston Redevelopment Authority

(Name of Local Public Agency)

Charlestown Urban Renewal Area

(Name of Urban Renewal or Redevelopment Project Area)

Mass Project 17-55

in the City of Boston State of MA.
is described as follows:²

3. State the reuse value \$ _____

B. RESIDENTIAL REDEVELOPMENT OR REHABILITATION

1. State the Redeveloper's estimates, exclusive of payment for the land, for:

a. Total cost of the residential redevelopment.	\$ 526,556.00
b. Cost per dwelling unit of the residential redevelopment.	\$ 125,370.00
c. Total cost of the residential rehabilitation	\$
d. Cost per dwelling unit of the residential rehabilitation	\$

2. a. If the proposed redevelopment or rehabilitation is for more than one dwelling unit, state the Redeveloper's estimate of the monthly rental (if to be rented) or average sale price (if to be sold) of the dwelling units involved:

TYPE AND SIZE OF DWELLING UNIT	ESTIMATED MONTHLY RENTAL	ESTIMATED SALE PRICE
2 1/2 sty single (affordable)	\$	\$ 98,455
2 Bedroom (affordable)		91,955
2 Bedroom (market)		150,000

¹ If space on this form is inadequate for any requested information, it should be furnished on an attached page which is referred to under the appropriate numbered item on the form.

² Any convenient means of identifying the land (such as block and lot numbers of street boundaries) is sufficient. A description by metes and bounds or other technical description is acceptable, but not required.

b. State the utilities and parking facilities, if any, included in the foregoing estimates of rentals:

one parking space will be included with each unit

c. State equipment, such as refrigerators, washing machines, air conditioners, if any, included in the foregoing estimates of sales prices: refrigerators, stoves, dishwasher, disposal

CERTIFICATION

I (We) ¹ Timothy P. O'Connell

certify that this Redeveloper's Statement for Public Disclosure is true and correct to the best of my (our) knowledge and belief.²

Dated: _____

Dated: 9/7/89

Signature

[Signature]
Signature

Title

Sole owner
Title

Address and ZIP Code

399 Bunker Hill St Charlestown MA
Address and ZIP Code 02129

¹ If the Redeveloper consists of two or more persons jointly (including tenants by the entirety), this statement must be signed by each of them.

² Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than \$10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement, or entry in a matter within the jurisdiction of any Department of the United States.

REDEVELOPER'S STATEMENT OF QUALIFICATIONS AND FINANCIAL RESPONSIBILITY

(Redevelopment or rehabilitation for any use by an individual or two persons as joint owners when the reuse value is under \$30,000)

(For confidential official use of the Local Public Agency and the Department of Housing and Urban Development.
Do Not Transmit to HUD Unless Requested.)

1. a. Name of Redeveloper: Timothy P. O'Connell d/b/a Gate Five Associates

b. Address and ZIP Code of Redeveloper: 110 Sixth Street Charleston MA 02129

2. The land on which the Redeveloper proposes to enter into a contract for, or understanding with respect to, the purchase or lease of land from

Boston Redevelopment Authority
(Name of Local Public Agency)

in Charlestown Urban Renewal Area
(Name of Urban Renewal or Redevelopment Project Area)

in the City of Boston, State of MA.
is described as follows:

3. If funds for the development of the land are to be obtained from sources other than the Redeveloper's own funds, a statement of the Redeveloper's plan for financing the acquisition and development of the land:

4. Sources and amount of cash available to the Redeveloper to meet equity requirements of the proposed undertaking, and creditors of the Redeveloper:

a. In banks:

NAME, ADDRESS AND ZIP CODE OF BANK

AMOUNT

Central Cooperative Bank

\$20-30,000

399 Highland Ave

Boston MA 02144

b. By loans from other:

NAME, ADDRESS AND ZIP CODE OF SOURCE

AMOUNT

None

\$

c. By sale of readily salable assets:

DESCRIPTION

MARKET VALUE

MORTGAGES OR LIENS

\$

\$

d. List of creditors to whom \$100 or more is owed

AMOUNT OWED

See Financial Statement Attached

\$

5. Names, addresses and ZIP Codes of bank references.

Mr. Michael Falvey
Central Cooperative Bank
399 Highland Ave
Somerville MA 02144

6. Has the Redeveloper been adjudged bankrupt, either voluntary or involuntary, within the past 10 years?

If Yes, give date, place, and under what name.

☐ YES

☒ NO

7. a. Does any member of the governing body of the Local Public Agency to which the accompanying bid or proposal is being made or any officer or employee of the Local Public Agency, who exercises any functions or responsibilities in connection with the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal?

☐ YES

☒ NO

If Yes, explain.

b. Does any member of the governing body of the locality in which the Urban Renewal Area is situated or any other public official of the locality, who exercises any functions or responsibilities in the review or approval of the carrying out of the project under which the land covered by the Redeveloper's proposal is being made available, have any direct or indirect personal interest in the Redeveloper or in the redevelopment or rehabilitation of the property upon the basis of such proposal?

☐ YES

☒ NO

If Yes, explain.

CERTIFICATION

I (We)¹

Timothy P. O'Connell

certify that this Redeveloper's Statement of Qualifications and Financial Responsibility and the attached evidence of Redeveloper's qualifications and financial responsibility, including financial statements, are true and correct to the best of my (our) knowledge and belief.²

Dated: _____

Dated: 9/7/89

Signature

Signature

Title

sole owner
Title

Address and ZIP Code

399 Barker Hill St. Charlestown MA
Address and ZIP Code 02129

¹ If the Redeveloper consists of two or more persons jointly (including tenants by the entirety), this statement must be signed by each of them.

² Penalty for False Certification: Section 1001, Title 18, of the U.S. Code, provides a fine of not more than \$10,000 or imprisonment of not more than five years, or both, for knowingly and willfully making or using any false writing or document, knowing the same to contain any false, fictitious or fraudulent statement, or entry in a matter within the jurisdiction of any Department of the United States.

NON-DISCRIMINATION AND AFFIRMATIVE MARKETING STATEMENT

As a condition of receiving BRA-controlled funds; land or other benefits, I,
Timothy P. D. Connell agree not to discriminate or permit discrimination, upon the basis of race, color, religious creed, marital status, sex, age, ancestry, sexual preference, military status, handicap, children, national origin or source of income in the lease, rental or use and occupancy of the property located at: BRA Parcel P-2 Charleston MA.

I further agree to comply with the Boston Fair Employment and Housing Plan as applicable and to carry out an Affirmative Marketing Plan as approved by the Authority if determined applicable. Such a Plan would incorporate a description of outreach efforts to potential applicants using media and various community resources well in advance of sales or rent-up. I also agree to develop and carry out occupant selection policies and procedures to be incorporated in the Affirmative Marketing Plan in accordance with the Fair Housing Plan and any additional Authority requirements to be made available prior to Final Designation.

9/7/89
Date

[Signature]
Developer/Architect

§ 40J. Disclosure statements of persons having beneficial interest in real property.

No agreement to rent or to sell real property to or to rent or purchase real property from a public agency, and no renewal or extension of such agreement shall be valid and no payment shall be made to the lessor or seller of such property unless a statement signed under the penalties of perjury, has been filed by the lessor, lessee, seller or purchaser, and in the case of a corporation by a duly authorized officer thereof giving the true names and addresses of all persons who have or will have a direct or indirect beneficial interest in said property with the deputy commissioner of capital planning and operation. The provisions of this section shall not apply to any stockholder of a corporation the stock of which is listed for sale to the general public with the securities and exchange commission, if such stockholder holds less than ten percent of the outstanding stock entitled to vote at the annual meeting of such corporation.

A disclosure statement shall also be made in writing, under penalty of perjury, during the term of a rental agreement in case of any change of interest in such property, as provided for above, within thirty days of such change.

Any official elected to public office in the Commonwealth, or any employee of the division of capital planning and operations disclosing beneficial interest in real property pursuant to this section, shall identify his/her position as part of the disclosure statement. The Deputy Commissioner shall notify the State Ethics Commission of such names, and shall make copies of any and all disclosure statements received available to the State Ethics Commission upon request.

The Deputy Commissioner shall keep a copy of each disclosure statement received available for public inspection during regular business hours.

Added by St. 1980, c. 579, §12 . . .

1980 enactment - St. 1980 c. 579, §12 was approved July 16, 1980, and by §66 made effective July 1, 1981. See also note under §39A of this chapter.

Library References States 89. C.J.S §§ 145.149.150.

DISCLOSURE STATEMENT CONCERNING BENEFICIAL
INTEREST REQUIRED BY SECTION 40J OF
CHAPTER 7 OF THE GENERAL LAWS

- (1) Location: BAA Parcel P-2 Charlestown MA
- (2) Grantor or Lessor: Boston Redevelopment Authority
- (3) Grantee or Lessee: Timothy P. O'Connell d/b/a. Gate Five Associates
- (4) I hereby state, under the penalties of perjury, that the true names and addresses of all persons who have or will have a direct or indirect beneficial interest (including the amount of their beneficial interest accurate to within one-half percent) in the above-listed property are listed below in compliance with the provisions of Section 40J of Chapter 7 (see attached Statute).

NAME AND RESIDENCE OF ALL PERSONS WITH SAID BENEFICIAL INTEREST:

<u>NAME</u>	<u>ADDRESS</u>	<u>PERCENTAGE INTEREST</u>
Timothy P. O'Connell	399 Boston Hill Street Charlestown MA 02129	100

- (5) The undersigned also acknowledged and states that none of the above-listed individuals is an official elected to public office in the Commonwealth of Massachusetts, nor is an employee of the State Department of Capital Planning and Operations.

SIGNED under the penalties of perjury.

Signature: [Signature]

Date: 8/7/89

DISCLOSURE STATEMENT

Any person submitting a development proposal to the City of Boston must truthfully complete this statement and submit it prior to being formally designated for any project.

1. Do any of the principals owe the City of Boston any monies for incurred real estate taxes, rents, water and sewer charges or other indebtedness?

No

2. Are any of the principals employed by the City of Boston? If so, in what capacity. (Please include name of agency or department and position held in that agency or department).

No

3. Have any of the principals previously owned any real estate? If so, where and what type of property?

From 1979, Both Residential and Commercial in Boston MA and N.H.

4. Were any of the principals ever the owners of any property upon which the City of Boston foreclosed for his/her failure to pay real estate taxes or other indebtedness?

No

5. Have any of the principals ever been convicted of any arson related crimes currently under indictment for any such crimes?

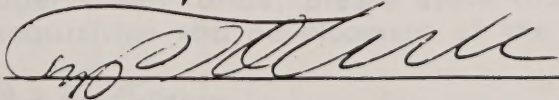
No

6. Have any of the principals been convicted of violating any law, code, ordinance regarding conditions of human habitation within the last three (3) years?

No

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS

7th Day of September, 19

SIGNATURE: 

ADDRESS: 399 Bunker Hill St

Charleston MA 02129

DEVELOPER'S STATEMENT OF QUALIFICATIONS
AND FINANCIAL RESPONSIBILITY (FORM 2)

1. Name and address of developer: Timothy P. O'Connell d/b/a.
Gate Five Associates

2. Is the developer or any other member of the joint venture a subsidiary of or affiliated with any other corporation or corporations or any other firm or firms.

Yes: _____ No: X

If yes, explain: _____

3a. The financial condition of the developer, as of 8/1/89
is as reflected in the attached financial statement.

NOTE: Attach to this statement a financial statement FOR EACH GENERAL PARTNER showing the assets and the liabilities, including contingent liabilities, fully itemized in accordance with accepted accounting standards and based on a proper audit. If the date of the financial statement precedes the date of this submission by more than six months, also attach an interim balance sheet not more than 60 days old. These statements will be held in strict confidence.

3b. Name and address of auditor or public accountant who performed audit on which said financial statement is based.

Attorney John J. O'Brien P.C.
111 Washington Street, Suite 302
Brookline MA. 02146

4. If funds for the development of the project are to be from sources other than the developer's own funds, please state the developer's plan for financing the acquisition and development of the project:

Linkage, Bank Financing

- 8a. Undertakings, comparable to the proposed development work, which have been completed by the developer, including identification and brief description of each project and date of completion:

Timothy P. O'Connell has developed a number of projects both in MASS. and New Hampshire; and also has provided consulting services to develop projects of this size to P.D.C.m. Associates

- 8b. If the developer or any of the principals of the developer has ever been an employee in a supervisory capacity for a construction contractor or builder or undertaking comparable to the proposed development work, name of such employee, name and address of employer, title of position, and brief description of work:

9. If the developer or a parent corporation, a subsidiary, an affiliate, or a principal of the developer is to participate in the development of the land as a construction contractor or builder:

- a. Name and address of such contractor or builder:

- b. Has such contractor or builder within the last ten years ever failed to qualify as a responsible bidder, refused to enter into a contract after an award has been made, or failed to complete a construction or development contract:

Yes: _____ No: _____

If yes, explain:

- c. Total amount of construction or development work performed by such contractor or builder during the last three years:

\$ _____

General description of such work:

- d. Construction contractors or developments now being performed by such contractor or builder:

Identification of
Contract or Development
and Location

Amount

Date to be
Completed

\$ _____

- e. Outstanding construction contract bids of such contractor or bidder:

Awarding Agency

Amount

Date Opened

10. Brief statement respecting equipment, experience, financial capability, and other resources available to such contractor or builder for the performance of the work involved in the development of the land, specifying particularly the qualifications of the personnel, the nature of the equipment, and the general experience of the contractor:

11. Statement and other evidence of the developer's qualifications and financial responsibility (other than the financial statement referred to in Item (3) are attached hereto and hereby made a part hereof as follows:

12. If the developer, any employee of the developer or any party holding a financial interest in the development is now a City of Boston employee or has been at any time in the year preceding this date, please list the person(s)'s name, position held, or financial interest in the development entity, City of Boston position, and if not currently employed by the City, the last date of City employment.

13. List the address(es) of all other properties that the owner(s) or principals of the proposed project owns in the City of Boston:

398 Bunker Hill Street Phas

401 Bunker Hill St Chen

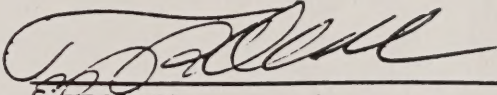
CERTIFICATION

I/we, Timothy P. d'Connell, certify that this Developer's Statement of Qualifications and Financial Responsibility and the attached evidence of the developers qualifications and financial responsibility, including financial statements, are true and correct to the best of my/our knowledge and belief.

Dated

9/7/89
Dated

Signature


Signature

Address and Zip Code

Address and Zip Code

399 Bunker Hill St.

Charlestown MA 02129



First Trade Union Savings Bank, FSB

Created by and for working people.™

WESLEY K. BLAIR, III

Vice President/
Sr. Commercial Loan Officer

September 12, 1989

Mr. Robert W. Rush
Deputy Director
Harbor Planning and Development
Boston Redevelopment Authority
1 City Hall Square
Boston, MA 02201

RE: Parcel P2

Dear Bob:

Please be advised that after an initial review First Trade Union Savings Bank is interested in possibly providing financing for Gate 5 in the development of Parcel P2, Charlestown. Crucial to this development is that \$650,000 in linkage funds have been committed to the project, and that we can build out all the affordable units first, considering the market rate units at a later date.

Please be advised that this is not a commitment to finance the project. Such commitment can only be issued after loan committee approval. Such approval has neither been sought nor has it been given at this time. It is my intention to take this into our loan committee meeting on September 29th. If approved at that point in time, a commitment letter will be issued.

Thank you very much for the opportunity of reviewing this project. I will get back to you in the near future.

Very truly yours,

Wesley K. Blair, III

WKB/pab

MEMORANDUM

SEPTEMBER 14, 1989

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: PAUL BARRETT, ASSISTANT DIRECTOR
ROBERT RUSH, DEPUTY DIRECTOR
JAMES SULLIVAN, CHARLESTOWN COORDINATOR
HARBOR PLANNING AND DEVELOPMENT

SUBJECT: CHARLESTOWN URBAN RENEWAL AREA, (MASS PROJECT - R-55)
FINAL DESIGNATION OF REDEVELOPER, AUTHORIZATION TO
EXECUTE A LAND DISPOSITION AGREEMENT - PARCEL P-2A.

SUMMARY: MEMORANDUM REQUESTING FINAL DESIGNATION OF GATE FIVE ASSOCIATES FOR THE REDEVELOPMENT OF PARCEL P-2A, LOCATED AT THE INTERSECTION OF MAIN AND BUNKER HILL STREETS IN CHARLESTOWN, FOR THE CONSTRUCTION OF FORTY-TWO (42) HOUSING UNITS, TWENTY-TWO (22) OF WHICH WILL BE AFFORDABLE AND THE EXECUTION OF A LAND DISPOSITION AGREEMENT

On June 9, 1988 the Authority Tentatively Designated Gate Five Associates as the redeveloper of Parcel P-2A in Sullivan Square, Charlestown, located on a triangular shaped parcel at the intersection of Main and Bunker Hill Streets in Charlestown. The terms of the Tentative Designation require a minimum of 50% of the housing units be affordable and the retention of the community garden on the parcel.

During the past year there has been extensive activity by the developer on the Gate Five Proposal. The site has been surveyed, a Chapter 21E review has been completed for the site and deemed acceptable, a number of meetings between the project architect and Authority staff have been held to review and amend the design. Further, under the Housing Creation Regulations, Linkage funding in the amount of \$650,000 has been approved to reduce the buyer acquisition costs and thereby increase affordability. A public informational meeting was held August 29, 1989 in Charlestown where the project received unanimous acceptance. Construction and end-loan financing will be approved by the First Trade Union Bank. (see attached letter)

It is the developer's intent to proceed with the 22 affordable units first, before developing the market units. The developer will meet with interested local residents to formulate the process for affordable buyer selection. The proposed process will be forwarded to the Authority for final review prior to advertisement and marketing. In addition, the developer is working with Authority staff to ensure compliance with the Boston Fair Housing Commission, and will have their final marketing plan approved by that body prior to advertisement. A lottery will be utilized to ensure a maximum cross-section of Boston's population. This lottery process will guarantee that 70% of the units will be sold to Charlestown residents, with the remaining 30% being sold to residents from the rest of Boston. All buyers will be first time homeowners.

The modified Boston Brownstone urban townhouses follow traditional streetscaping which recreates the style and context found along Main Street in years past and will dramatically improve this gateway to Charlestown. All dwellings will have at least one self-contained parking space per unit. The City of Boston Public Works and Transportation Departments have reviewed and approved infrastructure, traffic, circulation and parking plans for the project.

The Charlestown Urban Garden located at the apex of Bunker Hill and Main Streets, designated as Block 4 on the attached plan will retain the use of land it currently occupies. Further, the Developer agreed to provide backyards to several abutting neighbors on Baldwin and Main Streets. This parcel is designated as Block 2 on the attached plan.

As this development will provide a much needed affordable housing in Charlestown, has extensive community based support, and has obtained a linkage grant and bank financing, it is recommended that Gate Five Associates be granted Final Designation as the redeveloper of Parcel P-2A and that a Land Disposition Agreement be executed.

Based on the level of affordability for the units, it is expected that the appraised value would result in a nominal consideration for the parcel.

An appropriate resolution is attached:

034/JS

